

State of Idaho  
Department of Water Resources  
**Water Right License**  
Water Right No. 2-10578

**Priority:** August 06, 2019

**Maximum Diversion Rate:** 0.03 CFS

**Maximum Diversion Volume:** 6.3 AF

It is hereby certified that:

ERIK HEASLEY 25523 CLUBHOUSE CT WILDER ID 83676-6058 AND  
SARAH HEASLEY 25523 CLUBHOUSE CT WILDER ID 83676-6058

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 6, 2019, and has submitted Proof of Beneficial Use on May 26, 2021. An examination confirms water is diverted from:

**Source :** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**Period of Use**

03/01 to 11/15

**Rate of Diversion**

0.03 CFS

**Annual Volume**

6.3 AF

**Location of Point(s) of Diversion**

SNAKE RIVER L1 ( NE $\frac{1}{4}$  NW $\frac{1}{4}$ ), Sec. 14, Twp 03N, Rge 05W, B.M. CANYON County

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 05W | 14  |    |    |    |    | 1.4 |    |    |    |    |    |    |    |    |    |    |    | 1.4    |

Total Acres: 1.4

**Conditions of Approval**

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Point of diversion and place of use are located within Lot 2, Blk. 1, D and E Estates.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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DEC 22 2022

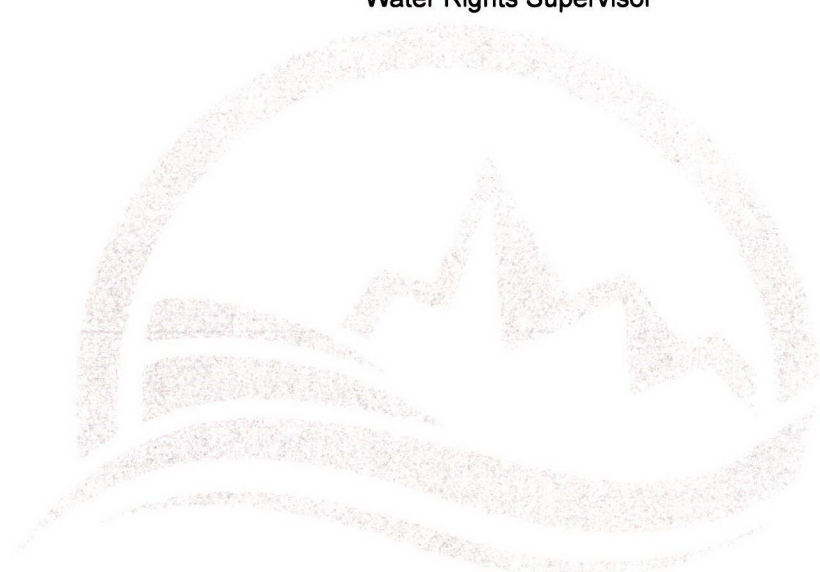
State of Idaho  
Department of Water Resources  
**Water Right License**  
Water Right No. 2-10578

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 20<sup>th</sup> day of December, 20 22.



SCOTT STORMS  
Water Rights Supervisor



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State of Idaho  
Department of Water Resources  
**Attachment to Water Right License**  
2-10578

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

05W



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

0 0.035 0.07 0.14 Miles



  
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Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: [westerninfo@idwr.idaho.gov](mailto:westerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

December 21, 2022

SARAH & ERIK HEASLEY  
25523 CLUBHOUSE CT  
WILDER ID 83676-6058

RE: License No. 2-10578

### ISSUANCE OF LICENSE

Dear Water Right Holder(s):

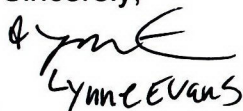
The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at [idwr.idaho.gov](http://idwr.idaho.gov)

If you have any questions concerning the enclosed information, please contact me at (208) 605-4624.

Sincerely,



Lynn EVANS

for Scott Storms  
Water Rights Supervisor

Enclosure(s)

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## CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2022, I served a true and correct copy of Water Right License No. 2-10578 by U.S. Mail, postage prepaid, to the following:

SARAH HEASLEY  
25523 CLUBHOUSE CT  
WILDER ID 83676-6058

ERIK HEASLEY  
25523 CLUBHOUSE CT  
WILDER ID 83676-6058



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Lynne Evans  
Administrative Assistant I

## EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

### **CERTIFICATE OF SERVICE**

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### **FINAL ORDER**

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
BENEFICIAL USE FIELD REPORT

**A. GENERAL INFORMATION**

**Permit No:** 2-10578  
**Exam Date:** 04/19/2022

1. Current Owner:  
SARAH HEASLEY 25523 CLUBHOUSE CT WILDER ID 83676-6058 AND  
ERIK HEASLEY 25523 CLUBHOUSE CT WILDER ID 83676-6058
2. Accompanied by: ERIK HEASLEY  
Phone No: 916-396-5458  
Address: 25523 CLUBHOUSE CT WILDER ID 83676-6058  
Relationship to permit Holder: Is the permit holder

3. **SOURCE:**  
SNAKE RIVER

**Tributary**  
COLUMBIA RIVER

**Method of Determination:** Site visit, aerial imagery

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: None
2. Other water rights with the same point-of-diversion: None

Comments: Permit holder has surface water with HOA they use as primary water for irrigation.

**C. DIVERSION AND DELIVERY SYSTEM**

1. **LOCATION OF POINT(S) OF DIVERSION:**  
SNAKE RIVER L1 (NE¼ NW¼), Sec. 14, Twp 03N, Rge 05W, B.M. CANYON County

Method of Determination:

**PLACE OF USE:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 05W | 14  |    |    |    |    | 1.4 |    |    |    |    |    |    |    |    |    |    |    | 1.4    |

Total Acres: 1.4

Method of Determination:

3.
  - ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components.
  - ☒ Indicate weir size/pipe as applicable.
  - ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
  - ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
  - ☒ Photo of Diversion and System Attached

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4.

| Well or Diversion ID No.* | Motor Make | Hp | Motor Serial No. | Pump Make       | Pump Serial No. or Discharge Size |
|---------------------------|------------|----|------------------|-----------------|-----------------------------------|
| N/A                       | Lesson     | 2  | 06421J2          | Munro LP Series | 202424                            |

**D. FLOW MEASUREMENTS**

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| N/A                   | N/A  | N/A  | N/A       | N/A        | N/A  | N/A         |

2. Measurements: None Taken**E. FLOW CALCULATIONS**N/A Additional Computation Sheets Attached

Measured Method: Following IDAPA Beneficial use exam rules 35.02.(r). no measurement was taken.

Permitted Total Rate 0.03 cfs

License Recommendation 0.03 cfs**F. VOLUME CALCULATIONS**

1. Volume Calculations for irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.4 \text{ acres} \times 4.5 \text{ AFA} = 6.3 \text{ AF}$$

$$V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \text{ cfs} \times 259 \text{ days} \times 1.9835 = 15.4$$

$$V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = \underline{6.3 \text{ AF}}$$

2. Volume Calculations for Other Uses: N/A

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**G. NARRATIVE/REMARKS/COMMENTS**

A field exam was conducted on 04/19/22 by Water Right Agent Marcelina Williams and was accompanied by Mr. Erik Heasley who is the current owner and original applicant. The application for permit was submitted on August 6, 2019, and proof of beneficial use was submitted on May 26, 2021.

The point of diversion (POD) location was confirmed in the Snake River at L1NE NW QQ section 14, township 03N, range 05W. This POD has a screen at the end of it followed by 2" polyethylene piping as the mainline. This mainline goes uphill from the river, down the side of the house about 205 ft to connect to a Lesson motor and Munro LP Series pump to divert water. The system then connects to pasture sprinklers, and the landscaping irrigation system. There are a total of 12 zones with 8-12 Rain Bird sprinkles in each zone. Water right overlap research did not discover any other water rights associated with the ground water or surface water PODs. No amendment required to correct the legal description.

The permit authorizes 0.03 cfs for irrigation use within L1NE NW QQ section 14, township 03N. Irrigation was developed in all areas that contained irrigable land leaving only 0.6 acres undeveloped. ArcMap tools and aerial imagery, supported by photos taken during the field exam, were used to verify the POU area. Although the permit authorized two total acres, the license recommendation for the POU is 1.4 acres. No amendment required to correct the legal description of the POU.

Following IDAPA Beneficial use exam rules 35.02.(r). no measurement was taken. To calculate the recommended license flow rate normally the general diversion rate times the acres irrigated would be the method used ( $0.03 \text{ cfs} \times 1.4 \text{ acres} = 0.04 \text{ cfs per acre}$ ). On the permit the general rate is 0.03. cfs the overall diversion rate for permit was set to 0.03 cfs. Given the calculation comes out to a higher rate than the permit allows the recommended licensed flow rate for irrigation use is 0.03 cfs.

Condition 103 replaced condition 121 per department standards. Condition R69 stayed on the water right while condition 26A was removed and X59 was added.

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Have conditions of permit approval been met? ☒ Yes ☐ No**H. RECOMMENDATIONS****1. Recommended Amounts**

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> |  |
|-----------------------|----------------------|--------------------------|--|
| IRRIGATION            | 03/01 to 11/15       | 0.03 CFS                 |  |

**Totals:** 0.03 CFS**2. Recommended Amendments**☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ None**I. AUTHENTICATION** Marcelina WilliamsField Examiner's Name Marcelina Williams Date 11/16/22Reviewer [Signature] Date 11/28/2022

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# DELIVERY SYSTEM DIAGRAM

Water Right No.2-10578





Fig. 1 – Location of POD in Snake River with 2-inch main line leading to pump and motor. Located in the NENW lot 1 QQ. View looking south.

GPS'd at:

43°36'.114"N

116°54'.229"W



Fig. 2 – Location of pump and motor on the west side of the house. View looking east.

GPS'd at:

43°36'8.357"N

116°54'11.5"W



Fig. 3 – Motor specs.



Fig. 4 – Pump specs.



Fig. 5 – 360 impact sprinkler in irrigation system. Located in the NW section of the POU.



Fig. 6 – Rainbird sprinkler in irrigation system. Located in the NE, SE, and SW section of the POU.



Fig. 7 – Lawn irrigated acres within the NENW lot 1 QQ.



Fig. 8 – Pasture irrigation in the NW area of the POU. View looking north.

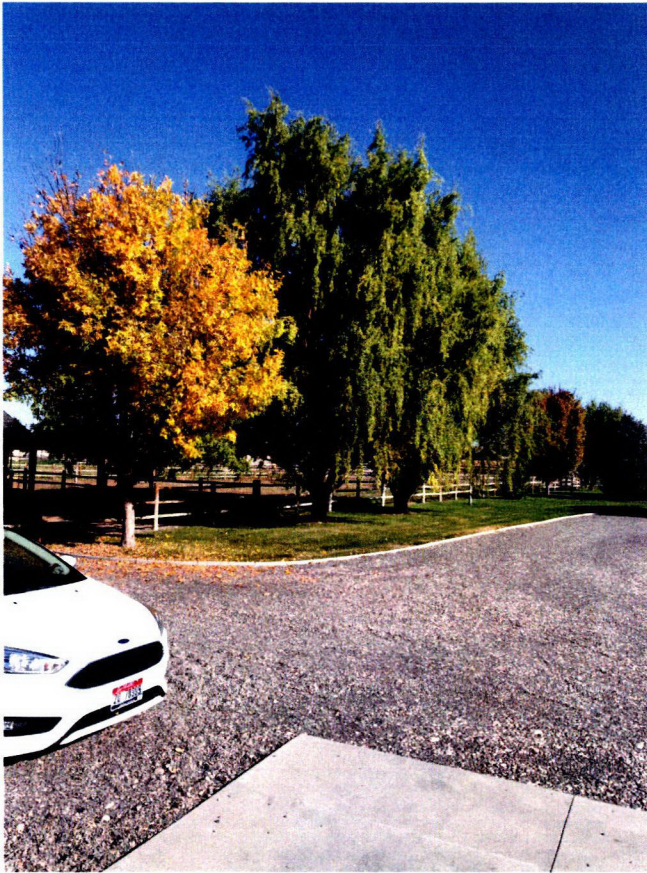


Fig. 9 – Lawn irrigation in the NE area of the POU. View looking north.



Fig. 10 –Lawn irrigation in the center area of the POU. View looking south.



Fig. 11 – Lawn irrigation on the south side of the POU and house. View looking north.



Fig. 12 – Lawn irrigation on the south side of the POU, directly behind the house. View looking north.